Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 04-12-14	Bureau/Station/Facility: East Los Angeles Station	Admin. Invest.? [ ] Hit? [ ]

Incident Information

URN: 014-04884-0287-055	Date: 04-12-14	Time: 2150 hours
City or Station: East Los Angeles	Nature of Incident: See attached	
Location: East 6th Street/School Avenue		

Location Type (*check one or more*):
- [ ] Backyard
- [ ] Beach
- [ ] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [ ] Residence
- [ ] Rural
- [ ] School
- [x] Street
- Other:

Lighting (*check only one*):
- [ ] Darkness
- [ ] Daylight
- [ ] Other
- [x] Street Lights

Weather (*circle only one*):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance: Approx. 130-210 feet

Incident Type (*check one or more*):
- [ ] Accidental
- [x] Armed Person
- [x] Fleeing Suspect
- [x] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [x] Sniper/Ambush
- [ ] Startle
- [ ] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [ ] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other:

Initiated by (*check only one*):
- [ ] Arrest Warrant
- [x] Call
- [ ] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [x] Two Person Unit

Prior Activity (*check only one*):
- [ ] Detective
- [ ] Inmate Transport
- [ ] Other
- [x] Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
10	6	[x]	[x]

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.			
[redacted]	[redacted]				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
Last Name	**First Name**	**M.I.**			
[redacted]	[redacted]	[redacted]			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
Last Name	**First Name**	**M.I.**			
[redacted]	[redacted]				
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	[redacted]	[redacted]		[x] On Duty [ ] Witness to shooting [ ] Present during shooting [ ] Involved in shooting
[redacted]	Flores	Joel		[x] On Duty [ ] Witness to shooting [ ] Present during shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Bojorquez	Richard	A.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Bardon	Joshua	A.

PSTD Use Only

SH # 2353622

Officer Involved Shooting

URN: 014-04884-0287-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
04-12-14	2320 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Weber	Todd	
[redacted]	Olivier	Julien	L.
[redacted]	Flores	Carlos	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	ZZ	25	N	N	NN	
E#1	S#1	FH	ZZ	45	Y	Y	NN	
S#1	E#2	FH	ZZ	25	N	N	NN	
E#2	S#1	FH	BR	9	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 014-04884-0287-055

Involved Employee

E 1

Employee # [redacted] | Last Name: Lomeli | First Name: Alejandro | M.I.:

Sex: M | Race: H | Rank: Deputy | Unit Assignment: East Los Angeles Station | Work Assignment (Unit #, Module, etc.): Unit 24

ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day | ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: --

Hospital Admission? ☐ | Hospital Name: -- | Coroner Case? ☐ | Coroner Case #: -- | Interviewed? ☑

Hrs of sleep prior to shooting: Unknown | Duty Time (hrs): [redacted] | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest | Other Factors:

Age: [redacted] | Height: 509 | Weight: 175

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: SigSauer | Caliber: 45 | # Shots: 7 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

E 2

Employee # [redacted] | Last Name: Rodriguez | First Name: Gerardo | M.I.:

Sex: M | Race: H | Rank: Deputy | Unit Assignment: East Los Angeles | Work Assignment (Unit #, Module, etc.): Unit 24

ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day | ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case #: | Interviewed? ☑

Hrs of sleep prior to shooting: Unknown | Duty Time (hrs): [redacted] | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest | Other Factors:

Age: [redacted] | Height: 508 | Weight: 198

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: Beretta | Caliber: 9MM | # Shots: 3 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

E

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case #: | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber: | # Shots: | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 014-04884-0287-055

Suspect Information

S 1

Last Name: Martinez		First Name: David	M.I.: M.
AKA Last Name:		First Name:	M.I.:
Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: --	Home Phone: --	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 28 D.O.B. 07-11-84	Height: 510 Weight: 220	FBI #: [redacted]	CII #: [redacted]
Booking #: 3925113	Primary Charge: 664/187 PC	Secondary Charge: 243.4 PC	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☑	Substance Used: Amphetamines
Armed? ☑	Apprehended? ☑	Mental Illness? ☑	Criminal History? [redacted]
Vehicle Make:		Model:	Year:

S

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S

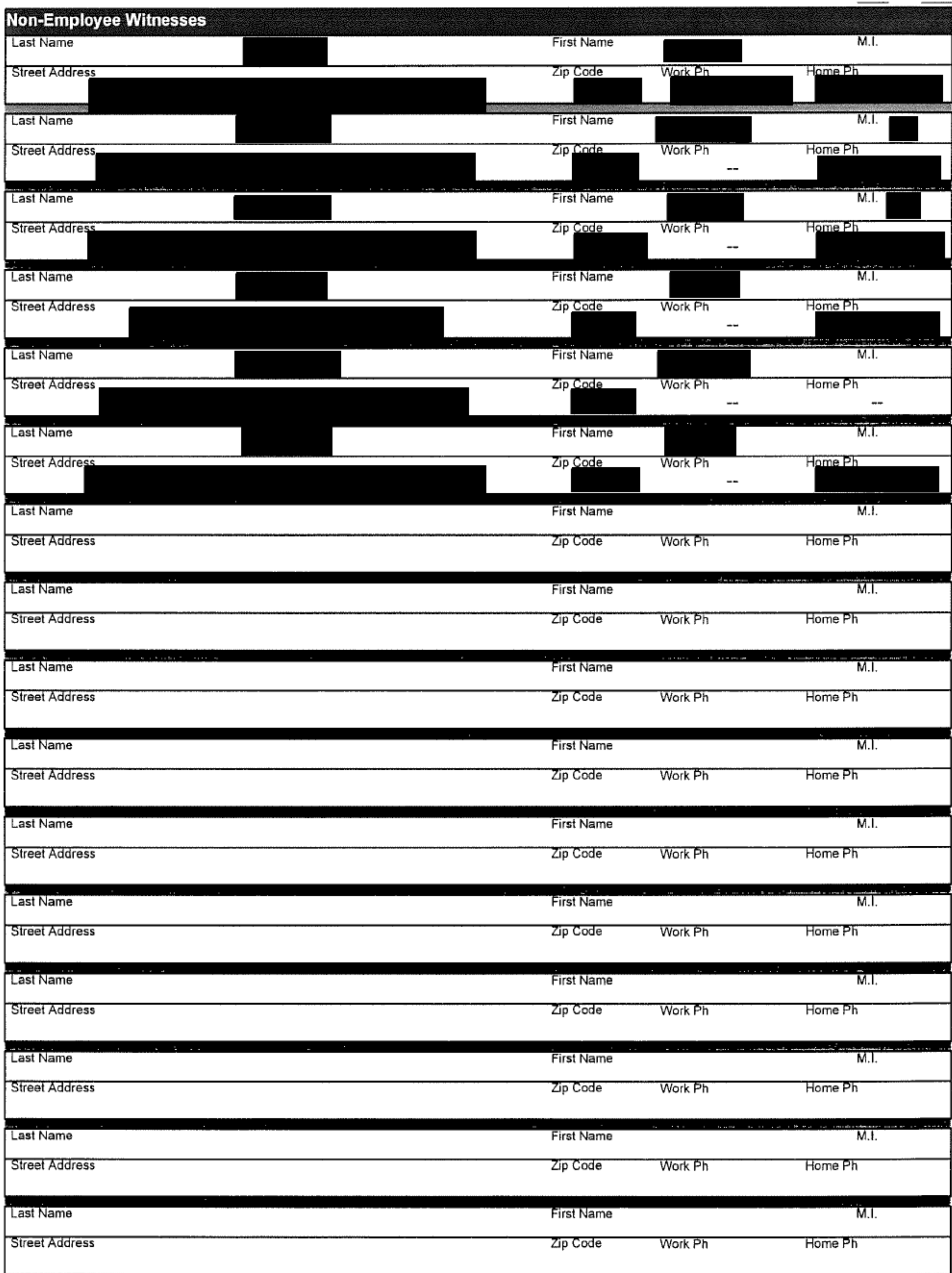
Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department



Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	--	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	--	[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	--	[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	--	--
[redacted]	[redacted]		[redacted]	[redacted]	--	[redacted]

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING: NON HIT
SH#2353622
URN 014-04884-0287-055

DATE / TIME / LOCATIONS

Saturday, April 12, 2014
2150 hours
East 6th Street/School Avenue, East Los Angeles

On April 12, 2014, PM shift, Deputies Gerardo Rodriguez and Alejandro Lomeli were assigned to East Los Angeles Station as Unit 24. During their shift, they received a call for service at [redacted], in regards to a male Hispanic adult who was possibly in possession of a gun, and who had possibly sexually assaulted a minor. The suspect (David Martinez) was described as having a shaved head, and was wearing a black shirt and black jeans. They responded Code 3 (lights and siren) to the call, travelling north on School Avenue from Whittier Boulevard. As they approached East 6th Street, Deputy Lomeli (driver) turned off the siren and rotating lights of his marked patrol vehicle, and slowed his vehicle down to approximately 3 miles per hour. They were then advised over L-Tac that the suspect was hiding behind vehicles. Deputy Lomeli turned east onto East 6th Street, when he noticed several people in front of [redacted], pointing in his direction. Concerned they might get ambushed, Deputy Lomeli stopped his vehicle approximately 15 yards east of the south east corner of East 6th Street and School Avenue, in the east bound lane. As both deputies got out of their vehicle, they heard a gunshot directly behind them to the west. Fearing they might get shot, both deputies took cover. Deputy Lomeli looked to the west and saw the suspect at the south east corner of School Avenue and East 6th Street, pointing a handgun in their direction. The suspect then ran south on School Avenue along the east sidewalk.

Deputy Lomeli ran to the southeast corner of East 6th Street and School Avenue. As Deputy Lomeli crossed the east sidewalk of School Avenue to take cover behind a parked vehicle just west of him, the suspect, who was still running southbound on School Avenue, turned and began shooting at Deputy Lomeli. Fearing for his life, Deputy Lomeli fired back at the suspect, while moving towards the parked vehicle. The suspect continued running southbound on School Avenue as Deputy Lomeli lost sight of him.

At the same time, Deputy Rodriguez could hear Deputy Lomeli firing his gun, while hearing additional gun shots being fired by persons unknown. Deputy Rodriguez ran over to a large green metal mailbox located on the south east corner of School Avenue and East 6th Street. To obtain better cover, Deputy Rodriguez began to cross the eastside walk of School Avenue to where Deputy Lomeli had taken cover. As he crossed the sidewalk, Deputy Rodriguez saw the suspect come out from between two vehicles that were parked along the east curb line. The suspect appeared to be crouching down and was walking northbound toward him, while pointing a hand gun at him. Deputy Rodriguez then fired 3 rounds at the suspect. The suspect went back in between the parked vehicles.

Deputy Lomeli put out emergent radio traffic advising they were just involved in a shooting, while giving their location, as well as the suspect's location. Deputy Lomeli went west across School Avenue, when he saw Suspect Martinez running south down the street and then east through the homes on School Avenue, and out of sight. Deputies Lomeli and Rodriguez proceeded to walk south down School Avenue, while paralleling one another. They stopped two houses north of where Deputy Lomeli lost sight of the suspect, and took a containment point. Suspect Martinez proceeded to barricade himself inside [redacted].

IAB Note: See **Exhibit H** to review the audio recordings of the 911 calls, L-Tac transmissions, and officer involved shooting (998) radio traffic.

IAB Note: See **Exhibit I** to review the Foot Pursuit Evaluation Form and foot pursuit route. Deputies Lomeli and Rodriguez pursued the suspect approximately 350 feet.

See **Exhibit E** to review Regional and neighborhood maps

The Special Enforcement Team was requested and responded to the scene. After negotiations failed and a warrant was obtained, the screen door to [redacted] was removed using an Armored Tractor. The suspect then crawled out of the location and was taken into custody, without further incident.

An Incident Report under file number 014-04884-0287-055 was written by Deputy Eduardo Munoz.

IAB Note: See **Exhibit A** to review the Incident Report.

The suspect was subsequently arrested and booked at East Los Angeles Sheriff's Station for attempt murder on a peace officer and sexual battery.

IAB Note: See **Exhibit D** to review Subject Martinez' booking documentation.

Internal Affairs Bureau Lieutenant Todd Weber was notified, along with Sergeants Julien Olivier and Carlos Flores, who all responded to the location to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, and involved deputies.

IAB Note: Lieutenant Todd Weber took reasonable steps to ensure the "No Huddling" policy was in effect. The "No Huddling" policy refers to the Manual of Policy and Procedure Sections 3-10/300.00 and 3-10/310.00, which state that personnel involved in a shooting shall be transported from the scene, and shall refrain from speaking of the incident among themselves or with uninvolved persons prior to being interviewed by assigned Departmental investigators. Per IAB protocol, the IAB Lieutenant will remind the incident commander of the policy during an initial telephone conversation, and prior to their (IAB Lieutenant's) arrival to the command post.

IAB SHOOTING/FORCE TEAM

Lieutenant Todd Weber #[redacted], Sergeant Julien Olivier #[redacted] and Sergeant Carlos Flores #[redacted].

INVOLVED PERSONNEL

Alejandro Lomeli #[redacted]

Central Patrol Division
East Los Angeles Station

Date of Employment:	03/01/2006
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Date Assigned to Station:	08/01/2010
Prior Shooting Incident(s):	[redacted]
Prior Founded Force:	

Gerardo Rodriguez #[redacted]

Central Patrol Division
East Los Angeles Station

Date of Employment:	10/03/2007
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Date Assigned to Station:	02/23/2014
Prior Shooting Incident(s):	[redacted]
Prior Founded Force:	

SUSPECT

David Martinez MH/07-11-84



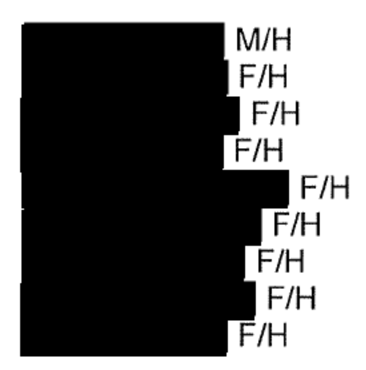
Suspect Martinez has been [redacted]. [redacted] include [redacted]. He has [redacted] and [redacted].

IAB Note: Suspect Martinez' [redacted] Report is included in this case book. See **Exhibit C**.

EMPLOYEE WITNESSES

None

NON-EMPLOYEE WITNESSES



[redacted] M/H
[redacted] F/H
[redacted] F/H
[redacted] F/H
[redacted] F/H
[redacted] F/H
[redacted] F/H
[redacted] F/H
[redacted] F/H

INJURIES

SUSPECT

None

DEPUTY PERSONNEL

None

PHYSICAL EVIDENCE

All physical evidence, including the suspect's firearm, was collected by the staff of the Scientific Services Bureau.

IAB Note: The staff of the Scientific Services Bureau created sketches of the scene, an Evidence List, a Vehicle List and a Crime Scene Investigation Report. See **Exhibit F**.

TOXICOLOGY REPORT

Suspect Martinez tested positive for Amphetamines and Cannabinoids.

IAB Note: See **Exhibit G** to review Toxicology Report.

DISTANCE

Deputy Alejandro Lomeli was approximately 110 feet from Suspect Martinez when he shot at Suspect Martinez. Deputy Gerardo Rodriguez was approximately 60 feet from Suspect Martinez when he shot at Suspect Martinez.

INVESTIGATOR OBSERVATIONS

Internal Affairs Bureau investigators arrived to the shooting scene approximately eight hours after the shooting incident. Internal Affairs Bureau (IAB) Sergeant Julien Olivier made the following observations on the scene:

School Avenue is a north south street, in a residential area of East Los Angeles. The street has raised curbs on the east and west sides, and sidewalks. The east side of the street is residential, and the west side has a school.

East 6th Street is an east west street, in a residential area of East Los Angeles. The street has raised curbs on the north and south sides, and sidewalks. Both sides of the street is residential.

The IAB investigator observed a Sheriff's Department patrol car stopped on East 6th Street, facing east. The vehicle was approximately 50 feet east of the east curb line of School Avenue.

In the south intersection of School Avenue and East 6th Street, the IAB Investigator noticed numerous shell casings on the ground across the intersection. Also seen was additional shell casings along the east curb line of School Avenue, between [redacted] and [redacted].

REVIEW OF RADIO TRANSMISSIONS

The emergent radio transmissions and the Local Tactical Channel (L-Tac) transmissions were reviewed by Internal Affairs Bureau Sergeant Julien Olivier. The following is a description of what can be heard on each radio transmission recording.

Emergent Radio Transmission

Unit 21 can be heard requesting aero in regards to a person possibly in possession of a gun (P417). The Sheriff's Communication Center's (SCC) dispatcher can then be heard attempting to get aero on the radio. Seconds later, a deputy later identified as Deputy Lomeli (Unit 24), can be heard saying "998 (deputy involved in a shooting), 998, the suspect is running southbound, give me that patch." The dispatcher acknowledges by saying "10-33 (emergent traffic), you are on the patch." Deputy Lomeli can then be heard saying that the suspect is running southbound in the street on School Avenue toward Hubbard, wearing all black. The dispatcher can be heard acknowledging Unit 24 and says over the radio that Unit 24 is involved in a 998, and that the suspect, who is wearing all black, is running southbound toward Hubbard Street. The dispatcher is then heard asking if there is a unit available to respond in less than one minute. Unit 21 advises that he can be there in seconds. The dispatcher requests another unit and Unit 22 acknowledges. The Dispatcher then requests a field supervisor (Sam Unit) to respond. Unit 20S acknowledges. The Dispatcher is then heard saying that aero is switching over to their frequency. The Dispatcher is then heard asking Unit 24 for a better description and his location. Unit 24 advises that the suspect is a male Hispanic with a bald head and that suspect is midblock. Deputy Lomeli is then heard requesting that a unit needs to go one street east of his location and that a containment needs to be set up. The Dispatcher acknowledges that he needs one unit east of his location and confirms if he is at [redacted]. Deputy Lomeli is heard saying that he is at [redacted] and the suspect was last seen going east bound through the houses approximately five houses down (South) from his location. Aero Bureau can then be heard assigning containment positions for patrol units to set up on.

L-Tac Transmission (minute 5:43)

20D is heard advising Unit 21 that the suspect is heading westbound on East 6th Street, while hiding behind vehicles

> **IAB Note:** A DVD containing the recording of the radio transmissions is included in this case book. **See Exhibit H**.

LIGHTING AND WEATHER CONDITION

The incident occurred during night time hours (2050 hours). Lighting was controlled by street lights. There are two street lights at the intersection of School Avenue and East 6th Street. There is also one street light on School Avenue approximately 100 feet south of the intersection of School Avenue and East 6th Street, on the west sidewalk. Visibility was clear and the weather was cool (64.0 F).

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Lomeli's firearm is a "SigSauer" .45 auto caliber semi-automatic pistol, Model "P220."

Deputy Rodriguez' firearm is a "Beretta" 9mm semi-automatic pistol, Model "92FS".

IAB Note: Deputy Lomeli and Deputy Rodriguez' firearms were examined by the staff of the Scientific Services Bureau, and found to be fully functional. A firearm examination report is included in this case book. See **Miscellaneous Documents.**

WEAPON USED BY SUSPECT

Suspect Hernandez was in possession of a "Tanfoglio" .25 auto semi-automatic pistol, Model "GT27." The firearm's serial number is [redacted].

IAB Note: Printed photographs of the suspect's firearm is included in this case book. See **Exhibit K**

PROPERTY DAMAGE

A bullet hole on the front hood as well as a bullet strike mark on the front passenger side door, was found on a Honda Odyssey, license plate number [redacted] The vehicle was located on the east side of School Avenue, approximately 60 feet south of the south curb line of East 6th Street, facing north.

A bullet impact mark to a fence post located at [redacted] was found. The fence post was located on the [redacted] side of School Avenue, approximately 68 feet south of the south curb line of East 6th street.

A bullet hole was found on the front windshield of Chevy Silverado, license plate number [redacted]. The bullet went through the windshield and interior plastic covers of both the right A-pillar and right rear passenger door. The vehicle was located on the east side of School Avenue, approximately 233 feet south of the south curb line of East 6th Street, facing north.

A bullet strike mark was found on the exterior north residential wall of [redacted]. The wall is located on [redacted] side of School Avenue, approximately 253 feet south, of the south curb line of 6th street.

IAB Note: See **Exhibit L** to review CD containing crime scene photos. Included is photographs of the above mentioned damaged property under photograph numbers # 8566 and 8570 (Honda Odyssey), 8577 (fence post), 8598, 8606, 8614 and 8624 (Chevy Colorado), and 8642 (exterior north wall of [redacted]). Printed photographs of the damage property are included in **Exhibit J**.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigators: Detective Leopoldo Sanchez #[redacted]

Charges: Attempt Murder on a Peace Officer, 664/187 PC
Sexual Battery, 243.4 PC

IAB Note: Suspect Martinez was arraigned on April 15, 2014. He was charged by the Los Angeles District Attorney's Office with two counts of attempted murder on a peace officer, two counts of discharging a firearm, and two counts of special allegations-prior-any [redacted]. A pretrial hearing is set for March 3, 2015.

INVOLVED EMPLOYEE STATEMENTS

Alejandro Lomeli #[redacted], Deputy Sheriff

Deputy Lomeli was interviewed on April 13, 2014, by East Los Angeles Sheriff's Station Detectives Leopoldo Sanchez and Hector Contreras. The interview was conducted at East Los Angeles Sheriff's Station, and was audio recorded. The following is a summary of the interview.

Deputy Lomeli said he and his partner, Deputy Gerardo Rodriguez responded Code 3 to a 273A (Child Abuse) and a person possibly in possession of a gun call. As he turned east onto East 6th Street, the station dispatcher advised them that the suspect was hiding in between vehicles. He stopped his vehicle and got out of his car. As he was getting out, he heard a gunshot come from the corner of East 6th Street and School Avenue, which was behind him. As he looked toward the intersection, he saw Suspect Martinez running south on School Avenue. He ran to the intersection to see where the suspect had gone. As Deputy Lomeli began to move towards a parked vehicle in order to have better cover, Suspect Martinez turned toward him and began shooting at him. Deputy Lomeli returned fire, shooting approximately eight times, as he moved toward the parked vehicle. He saw Suspect Martinez continue to run south down the street and then turn east and go down a driveway, where he lost sight of him.

Deputy Lomeli crossed School Avenue and walked over to the west sidewalk and began walking south down the street. He stopped approximately three houses south of East 6th Street, where he waited for back up. At the same time, he put out radio traffic advising he had been involved in a shooting, giving his location, a suspect description, and last seen direction of travel. Aero arrived on scene and began setting up a containment.

IAB Note: Deputy Lomeli's statement to Detectives Sanchez and Contreras was substantially consistent with the information he provided in his Supplemental Report, except for the distance between him and the suspect, when he first saw him. In his supplemental report he wrote

15 yards, but he told Detectives Sanchez and Contreras 25 yards. See **Exhibit B, Pages 35-36.** Detective Sanchez summarized his interview with Deputy Lomeli in a Supplemental Report, also included in this case book. See **Exhibit B, Pages 3-9**.

Deputy Lomeli was interviewed on February 11, 2015, by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe. The interview was conducted at Internal Affairs Bureau, and was digitally audio recorded. Deputy Lomeli was represented by Attorney Maureen Okwuosa, with Green and Shinee. The following is a summary of the interview.

Deputy Lomeli stated he and his partner, Deputy Gerardo Rodriquez, responded Code 3 to a sexual assault call, and a person possibly in possession of a gun. He drove north on School Avenue, and prior to approaching East 6th Street, he shut off his siren and rotating lights in order to not warn the suspect of his presence. Upon turning east onto East 6th Street, his station dispatcher advised him that the suspect was hiding in between vehicles. At the same time, he noticed people in front of him pointing in his direction as if to warn him. He stopped his vehicle, and as he was getting out, he heard a gunshot come from the south/east corner of East 6th Street and School Avenue. Fearing he was being shot at, he took cover on the driver's side of his vehicle, and saw the suspect standing at the corner of East 6th Street and School Avenue, pointing a gun in their direction. The corner was approximately 15 yards west of his location. He withdrew his gun from his holster and pointed it at the suspect, while illuminating the suspect with his flashlight that was mounted on his gun. The suspect ran south on School Avenue along the east sidewalk. Deputy Lomeli ran to the corner of East 6th Street and School Avenue, and saw the suspect continuing to run south along the east sidewalk of School Avenue. In order to obtain better cover, Deputy Lomeli began to cross the sidewalk and go toward a van that was parked approximately 10 to 15 feet west of him, along the east curb line of School Avenue. As he was crossing the sidewalk, the suspect turned in his direction and began shooting at him. Fearing for his life, Deputy Lomeli accessed his back drop, ensuring there was no moving vehicles or pedestrians in the area, and fired approximately eight rounds at the suspect, who was approximately two houses south of his location. Deputy Lomeli said from the time he got out of his vehicle until the time he fired his gun was approximately three seconds.

IAB Note: Two houses south from the south east corner of School Avenue and East 6th Street is approximately 85 feet.

Deputy Lomeli took cover at the van, temporarily losing sight of the suspect. At the same time, he saw Deputy Rodriguez at the south east corner of East 6th Street and School Avenue, firing his handgun south on School Avenue toward the same area he had just shot. Deputy Rodriguez ran to his location and they both did a tactical reload. Deputy Lomeli looked down School Avenue and saw the suspect continuing to run south down the street. Deputy Lomeli put out radio traffic (approximately 15 seconds after he got out of his vehicle) advising that he was just involved in a shooting, while giving a description of the suspect, and his direction of travel. At about this time, Unit

21, Deputy [redacted] and Eduardo Muniz arrived to their location. Deputies Lomeli and [redacted] took a position on the west side of School Avenue, along the west sidewalk. Deputies Rodriguez and Muniz took position on the east side of School Avenue. Deputy Lomeli continued to watch the Suspect run down the street and then east through the homes on the east side of School Avenue, losing sight of the suspect.

The four of them began to walk south down School Avenue, using the parked vehicles as cover. They stopped approximately two houses north of where the suspect was last seen running east through the homes.

A containment was set up with the assistance of Aero Bureau. K-9 and the Special Enforcement Bureau (SEB) were also requested. Deputy Lomeli was then transported back to East Los Angeles Station.

Deputy Lomeli stated that he authored a Supplemental Report following this incident. He stated he reviewed his report prior to this interview and said what he wrote in his report accurately reflects what happened.

For his complete statements, refer to Deputy Lomeli's interview transcripts, which are included in this case book.

Deputy Lomeli reviewed his interview transcripts he had with Detectives Sanchez and Contreras prior to his interview with IAB investigators. He stated he provided truthful statements to the detectives but the distance he told them the suspect was when he first saw him was inaccurate. The suspect was 15 yards away, not 25 yards.

IAB Note: See the last page of Deputy Lomeli's transcript with IAB investigators, to review the map that was referenced throughout his interview.

Gerardo Rodriguez #[redacted] Deputy Sheriff

Deputy Gerardo Rodriguez was interviewed on April 13, 2014, by East Los Angeles Sheriff's Station Detective Leopoldo Sanchez. The interview was conducted at East Los Angeles Sheriff's Station, and was audio recorded. The following is a summary of the interview.

Deputy Rodriguez stated he and his partner, Deputy Alejandro Lomeli, responded to a 273A, possible 417 (person with a gun) call. As they were driving down East 6th Street, the station desk advised them that the suspect (Suspect Martinez) was hiding in between vehicles. Deputy Lomeli stopped their vehicle on East 6th Street, just east of School Avenue. As Deputy Rodriguez got out of the vehicle, he heard 3-4 gunshot coming from behind him. Deputy Rodriguez ran west to School Avenue where the shots came from, with Deputy Lomeli approximately 10 feet in front of him. As Deputy Rodriguez was turning South on School Avenue, he heard Deputy Lomeli exchange gun fire with Suspect Martinez. As Deputy Rodriguez looked south down the street, he saw

Suspect Martinez come out from between vehicles and point a gun in his direction. Fearing for his life, Deputy Rodriguez fired three rounds at the suspect as the suspect hid between the vehicles. Deputy Rodriguez took cover behind a vehicle, while Deputy Lomeli moved to the west side of School Avenue. Deputy Lomeli advised him that Suspect Martinez had gone into one of the houses on the east side of the street. Deputy Rodriguez moved mid-block and took a containment position behind a trailer.

IAB Note: Deputy Rodriguez' statement to Detectives Sanchez was substantially consistent with the information he provided in his Supplemental Report except for how many rounds he originally heard fired by the suspect. In Deputy Rodriguez' Supplemental report, he wrote he heard the suspect shoot one round when he exited his vehicle. When interviewed by Detective Sanchez, he said he heard three to four rounds fired. See **Exhibit B, Pages 33-34.** Detective Sanchez summarized his interview with Deputy Rodriguez in a Supplemental Report, also included in this case book. See **Exhibit B, Pages 3-9**.

Deputy Gerardo Rodriguez was interviewed on February 11, 2015, by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe. The interview was conducted at Internal Affairs Bureau, and was digitally audio recorded. Deputy Rodriguez was represented by Attorney Maureen Okwuosa with Green and Shinee. The following is a summary of the interview.

Deputy Rodriguez stated he and his partner Deputy Alejandro Lomeli responded "Code 3" to [redacted] in regards to a sexual assault call and a person possibly in possession of a gun. The suspect in the call was described as being bald, and was wearing a black shirt and black jeans. As they travelled north on School Avenue, his partner shut off the lights and siren to their vehicle. As they turned east onto East 6th Street, the station dispatcher advised them that the suspect on the call was hiding in between vehicles. Deputy Lomeli stopped their vehicle approximately 15 yards from the south/east corner of School Avenue and East 6th Street. Deputy Rodriguez got out of the vehicle and heard a gunshot come from the south east corner of East 6th Street and School Avenue. He took cover between the patrol car and a car that was parked just south of him. As Deputy Rodriguez removed his gun from his holster, he saw Deputy Lomeli firing his handgun from the south east corner of East 6th Street and School Avenue. At the same time, he could hear someone else firing a gun. Deputy Rodriguez ran to the south east corner of School Avenue and East 6th Street and took cover next to a mailbox. Unable to see south down School Avenue, Deputy Rodriguez began crossing the east sidewalk of School Avenue, where Deputy Lomeli had now taken cover behind a parked van on the east side of the street. While crossing the sidewalk, he saw the suspect appear from in between parked vehicles. The vehicles were parked along the east curb line of School Avenue and the suspect was approximately 25 yards south of him. The suspect began walking north on School Avenue along the east sidewalk while crouching down and pointing his gun at Deputy Rodriguez. Fearing for his life, Deputy Rodriguez fired three rounds from his gun at the suspect, who was now

approximately 20 yards away from him, while moving towards the van Deputy Lomeli had taken cover. Deputy Rodriguez said he accessed his back drop prior to shooting and did not see anyone behind the suspect.

Deputy Rodriguez took cover at the van, losing sight of the suspect. He heard Deputy Lomeli put out radio traffic stating they were involved in a shooting and he gave their location. He saw Deputy Lomeli cross School Avenue and go over to the west side of the street, while he remained on the east side of the street. They both began to walk down the street using the parked vehicles as cover. When they got to a parked trailer that was on the east side of the street, Deputies [redacted] Muniz, and Sergeant [redacted] met up with them. They did not advance any further down the street, and a containment was set up.

Deputy Rodriguez stated that he authored a Supplemental Report on the day of the incident. He reviewed his report prior to this interview and said his report was complete, and he provided a truthful account of what happened.

Deputy Rodriguez stated he was interviewed by East Los Angeles Station Detective Leopoldo Sanchez the next morning following this incident. He was given a copy of his interview transcripts which he reviewed prior to this interview. He said he provided truthful statements to Detective Sanchez but made a mistake when he said he heard the suspect fire three to four rounds when he exited his vehicle. He only heard one round fired as he exited his vehicle.

For his complete statement with IAB investigators and Detective Sanchez, refer to Deputy Rodriguez' interview transcripts, which are included in this case book.

> **IAB Note:** See the last page of Deputy Rodriguez' transcript with IAB investigators, to review the map that was referenced throughout his interview.

CIVILIAN WITNESSES

Detectives and deputy personnel from East Los Angeles Station canvassed the area of the shooting incident in search of witnesses. Of all of those interviewed, most did not see or hear anything. A few witnesses were identified as hearing shots, but did not see the shooting. Everyone who conducted interviews summarized their interviews in Supplemental Reports. See **Exhibit B**. Those that witnessed the shooting or provided pertinent information into this investigation are listed below.

[redacted]

[redacted] was interviewed on April 13, 2014, by East Los Angeles Sheriff's Station Detective Victor Puebla. The interview was conducted at East Los Angeles Sheriff's Station.

Witness [redacted] stated he was inside his home ([redacted] when he heard five to six gunshots coming from outside his home. He went outside to check on his landlord, [redacted], who resides at the front property ([redacted]). He approached [redacted] who was standing on the front porch and asked her if she had heard the gunshots. She told him she also heard the gunshots.

Witness [redacted] then saw deputies in the street, who told him to go back inside his home. As he was returning to his home, he heard objects falling on the ground inside his neighbor's yard ([redacted]). When he looked over his neighbor's wall to see what was causing the noises, he saw Suspect Martinez preparing to jump onto his property. He yelled at Suspect Martinez in Spanish, "Tu no eres de aqui!" (Translation: You're not from here). Witness [redacted] then noticed a Sheriff's helicopter flying overhead, while Suspect Martinez hid behind a brick wall.

Fearing Suspect Martinez might be armed and was wanted by the police, Witness [redacted] ran back to the front of his property to notify the deputies. He was unable to get their attention so he went back to his residence. As he approached his front door, which he had left open, he noticed it was closed and locked. Fearing the suspect had barricaded himself his home, he ran to a neighbor's house and called 911.

For complete details of Detective Puebla's interview with Witness [redacted], refer to his supplemental report. See **Exhibit B, Pages 1-2**.

[redacted]

[redacted] was interviewed by Internal Affairs Bureau Sergeants Julien Olivier and Carlos Flores, on February 18, 2015. The interview was conducted at [redacted] in the city of [redacted] and was audio recorded.

[redacted] stated she was on her porch [redacted]) when she heard numerous gun shots and saw flashes coming from the north end of School Avenue. She did not know who was shooting nor did she see any police officers. She then went inside her home. She did not see or hear anything else.

Refer to her interview transcripts which is included in this case book, for complete details of [redacted]s interview.

IAB Note: Sergeant Flores who is a department approved Spanish translator, conducted this interview with [redacted] in Spanish.

A copy of the map that was referenced during this interview is included on the last page of [redacted]s transcript.

[redacted]

[redacted] was interviewed by East Los Angeles Station Detective Hugo Ramos, on April 13, 2014. The interview was conducted at [redacted], in the city to [redacted]. The interview was not recorded, but was documented in a supplemental report written by Detective Ramos.

Detective Ramos wrote in his report that [redacted] was in the front yard of her residence [redacted]) when she saw Suspect Martinez attempting to enter her Dodge Caravan. [redacted] yelled at Suspect Martinez and told him to leave. At the same time, a group of guys started yelling at her in order to warn her that Suspect Martinez had just assaulted a young female and that he had a gun.

Minutes later, [redacted] saw a police vehicle driving east on East 6th Street Avenue toward her residence. Suspect Martinez began walking west on East 6th Street along the south sidewalk toward School Avenue. As the police car approached the intersection of School Avenue and East 6th Street, Suspect Martinez hid in between two parked vehicles. She attempted to get the police's attention in order to warn them of the suspect's location. The police vehicle stopped just east of School Ave on East 6th Street. Suspect Martinez who was now to the rear of the police car, on the sidewalk, brandished a hand gun and fired several rounds at the deputies, as the deputies were exiting their vehicle. The deputies fired back at Suspect Martinez, who ran south on School Avenue as the deputies gave chase. She then heard several additional gun shots, but did not see who was shooting.

For complete details of Detective Ramos interview with [redacted], refer to his supplemental report. See **Exhibit B, Pages 42-46**.

[redacted] was interviewed by Internal Affairs Bureau Sergeants Julien Olivier and Carlos Flores, on February 5, 2015. The interview was conducted at [redacted], in the city of [redacted].

[redacted] stated she was in the front yard of her home along with [redacted] and [redacted], waiting for her [redacted] ([redacted]) to park his car. While waiting, she was approached by Suspect Martinez who asked for help, and to be let inside her home. He told her that he was being chased by some guys from a party. While talking to Suspect Martinez, she noticed that he had had a gun in his waistband. At the same time, the men that were chasing Suspect Martinez approached her and told her that Suspect Martinez had just attempted to molest a young girl.

[redacted] went inside her home and called 911. When she went back outside, she saw Suspect Martinez trying to get past the front gate of their yard. Suspect Martinez was told he was not welcome into their home, at which point he proceeded to walk away. Suspect Martinez walked west on East 6th Street toward School Avenue along the south sidewalk. [redacted] saw a patrol car driving east on East 6th Street toward her direction. She then saw Suspect Martinez crouch down beside some

parked vehicles that were along the south curb line of East 6th Street, while moving toward the intersection of East 6th Street and School Avenue. The patrol car stopped at the intersection of School Avenue and East 6th Street. She began to waive her arms and point toward where Suspect Martinez was hiding in order to warn the officers. As the passenger deputy was getting out of the patrol car, she saw the suspect point and fire one to two shots at the deputy. She, along with the rest of her family who was still in the front yard with her, then went inside their home. She did not see or hear anything else.

For complete details of this interview, refer to Witness [redacted]s interview transcript.

IAB Note: Sergeant Flores who is a department approved Spanish translator, conducted this interview with [redacted] in Spanish.

A copy of the map that was referenced during this interview is included on the last page of [redacted]'s transcript.

In Detective Ramos' Supplemental Report he wrote that Witness [redacted] saw the deputies shoot at the suspect. When questioned regarding this inconsistency with her statement to IAB investigators and Detective Ramos, [redacted] said one of the two shots she heard could have been fired from the officers, but she was not sure. She did confirm that she did see Suspect Martinez shoot at the deputies.

IAB investigators attempted to contact Mr. [redacted] in order to interview him. They were not successful.

[redacted]

[redacted] was interviewed by East Los Angeles Station Detective Hugo Ramos on April 13, 2014. The interview was conducted at [redacted], in the city of East [redacted]. The interview was not recorded, but was documented in a supplemental report written by Detective Ramos.

In Detective Ramos' report he wrote that when [redacted] arrived home ([redacted]), she saw Suspect Martinez attempting to break into her van, that was parked in front of her house. She, along with [redacted], began yelling at Suspect Martinez. At the same time, she saw and heard several people yelling as they tried to warn her that Suspect Martinez had just assaulted a girl, and he might be armed.

Suspect Martinez began walking west on East 6th Street toward School Avenue, when he hid in between two parked vehicles just as a police car arrived on scene. Two

deputies exited the vehicle when Suspect Martinez, who was now at the corner of School Avenue and East 6th Street, fired several rounds at the deputies. The deputies then fired back at Suspect Martinez, who proceeded to run south on School Avenue. [redacted] said she heard several additional gunshots, but did not witness who was shooting.

For complete details of Detective Ramos interview with [redacted], refer to his supplemental report. See **Exhibit B, Pages 42-46**.

[redacted] was interviewed by Internal Affairs Bureau Sergeants Julien Olivier and Carlos Flores, on February 5, 2015. The interview was conducted at [redacted], in the city of [redacted], and was audio recorded.

[redacted] stated she was in her front yard when Suspect Martinez approached her front porch and asked to go inside her home. She noticed his pants were down and he was holding onto something which she believed to be a weapon. At the same time, some guys who were down the street started yelling at her in order to warn her not to let Suspect Martinez inside her home.

[redacted] and [redacted] came outside and told Suspect Martinez to leave. Suspect Martinez then ran to the corner of School Avenue and East 6th Street and hid next to a car that was parked along the south curb line of East 6th Street, just east of School Avenue. It appeared to her he was trying to hide as a police car arrived on scene. She tried to warn the police of Suspect Martinez' whereabouts by signaling at them. The police car stopped in the intersection of School Avenue and East 6th Street, and Suspect Martinez got up from his hiding spot and shot twice at the deputies as they were exiting their vehicle. She did not see the deputies return fire but assumed they did, because she heard additional gun shots that sounded different than when the suspect shot. Suspect Martinez then ran to the south east corner of School Avenue and East 6th Street, and proceed south down School Avenue. [redacted] did not witness anything else because she went into her house.

For complete details of this interview, refer to Witness [redacted]' interview transcript.

IAB Note: Sergeant Flores who is a department approved Spanish translator, conducted this interview with [redacted] in Spanish. Witness [redacted] also goes by the name, [redacted].

The map that was referenced during this interview with [redacted] is included on the last page of her interview transcripts.

[redacted]

[redacted] was interviewed by East Los Angeles Station Detective Hugo Ramos, on April 13, 2014. The interview was conducted at [redacted], in the city to [redacted]. The interview was not recorded.

In Detective Ramos' report he wrote that [redacted] went outside to check on [redacted], because she could hear [redacted] arguing with someone. When she went outside, she saw Suspect Martinez attempting to break into their van. At same time, a group of people, who were at the corner of Harding Avenue and East 6th Street, began yelling in order to let her know that Suspect Martinez had just assaulted a young girl and he might be armed. Suspect Martinez then walked away heading west toward School Avenue. As a police car arrived on scene, Suspect Martinez hid in between two parked vehicles. As the deputies exited their car, Suspect Martinez, who had moved to the corner of East 6th Street and School Avenue, began shooting at the deputies. The deputies fired back at Suspect Martinez. Suspect Martinez proceeded to run south on School Avenue. [redacted] then heard several more gun shots. She did not witness anything else.

Detective Ramos wrote a supplemental report detailing his interview with Witness [redacted]. See **Exhibit B, Pages 42-46**.

[redacted] was scheduled for an interview on February 5, 2015, with IAB investigators. Witness [redacted] failed to show up to the interview. IAB investigators attempted to contact her via phone calls to reschedule the interview. They were unable to contact her, nor did she call to reschedule an interview.

[redacted]

[redacted] was interviewed by East Los Angeles Sheriff's Station Detectives Stephanie Hile and Victor Puebla. The interview was conducted at East Los Angeles Station, and was audio recorded.

Witness [redacted] stated she had just parked her car and was getting out of it when she heard gun shots and saw the flashes of gun fire coming from the north end of the street. She then saw Suspect Martinez running south down the street (School Avenue) toward her direction, holding a gun in his hand. As Suspect Martinez was running, he turned toward the north end of the street and shot at pursuing police officers as he continued running down the street. She heard approximately 5-6 shots fired. She was not sure if the officers shot back at Suspect Martinez. She then got back into her vehicle along with [redacted], [redacted] ([redacted]), and [redacted], who were also with her. All of them then ducked down for cover.

Detective Hile wrote a supplemental report detailing her interview with Witness [redacted]. See **Exhibit B, Pages 10-14**.

IAB investigators called and left phone messages for Witness [redacted] in order to interview her. She never returned their phone calls. Investigators also went to her residence and left a business card with her [redacted]. He was asked to have Witness [redacted] call IAB investigators. To date, Witness [redacted] has not contacted the investigators.

> **IAB Note:** Due to the poor quality of the audio recording of Detectives Hile and Puebla's interview with [redacted], the interview was not transcribed.

[redacted]

Witness [redacted] was interviewed by East Los Angeles Sheriff's Station Detectives Stephanie Hile and Victor Puebla. The interview was conducted at East Los Angeles Station, and was audio recorded.

Witness [redacted] stated she was getting out of her [redacted] car when she heard gun shots and saw muzzle flashes coming from the north end of School Avenue. She told her [redacted] ([redacted], [redacted], and [redacted]) who were with her that the noises she just heard were gunshots. She then saw Suspect Martinez running in her direction holding a dark object in his right hand. Witness [redacted] got back inside the vehicle and crouched down on the back seat, losing sight of Suspect Martinez. When she looked back up, she saw police officers.

Detective Hile wrote a supplemental report detailing her interview with Witness [redacted] See **Exhibit B, Pages 10-14**.

> **IAB Note:** Due to the poor quality of the audio recording of Detectives Hile and Puebla's interview with [redacted], the interview was not transcribed.

On February 5, 2015, Internal Affairs Bureau Investigator Sergeant Julien Olivier called and spoke to Witness [redacted] in order to interview her. Witness [redacted] stated she did not want to be interviewed.

[redacted]

Witness [redacted] was interviewed by East Los Angeles Sheriff's Station Detectives Stephanie Hile and Victor Puebla. The interview was conducted at East Los Angeles Station, and was audio recorded.

Witness [redacted] stated she was retrieving her jacket from the trunk of her [redacted] vehicle when she heard 4-5 gunshots and saw muzzle flashes coming from the north end of the street. She then saw Suspect Martinez running south down the street in her direction on the east sidewalk. As she watched Suspect Martinez, she saw him turn his body to the north and shoot twice toward deputies. Suspect Martinez then ran up to their car

and demanded to be let in. She did not let him in, at which point he hid behind a large truck that was parked out on the street. Witness [redacted] then saw deputies coming down the street toward her direction. She took cover inside the vehicle and did not see anything else.

Detective Hile wrote a supplemental report detailing her interview with Witness [redacted]. See **Exhibit B, Pages 10-14**.

> **IAB Note:** Due to the poor quality of the audio recording of Detectives Hile and Puebla's interview with [redacted], the interview was not transcribed.

IAB investigators called and left phone messages for Witness [redacted] in order to interview her. She never returned their phone calls. Investigators also went to Witness [redacted] residence and left a business card with [redacted]. He was asked to have Witness [redacted] call IAB investigators. Witness [redacted] has not contacted the investigators.

[redacted]

Witness [redacted] was interviewed by East Los Angeles Station Detectives Stephanie Hile and Victor Puebla. The interview was conducted at East Los Angeles Sheriff's station and was audio recorded.

Witness [redacted] stated she was standing on the sidewalk with [redacted] and [redacted], when she saw 4-5 flashes and heard popping noises coming from the north end of School Avenue. [redacted] began screaming because she believed the "pops" were in fact gunshots, even though Witness [redacted] did not think so. Shortly after, Witness [redacted] saw Suspect Martinez running south on the east sidewalk in her direction. As Suspect Martinez passed by, Witness [redacted] saw a dark object in his hand which she believed was a gun. She then went inside the vehicle losing sight of Suspect Martinez.

Detective Hile wrote a supplemental report detailing her interview with Witness [redacted]. See **Exhibit B, Pages 10-14**.

> **IAB Note:** Due to the poor quality of the audio recording of Detectives Hile and Puebla's interview with Witness [redacted], the interview was not transcribed.

IAB investigators called and left phone messages for Witness [redacted] in order to interview her. She never returned their phone calls. Investigators also went to her residence, and left a business card with her [redacted]. He was asked to have her call IAB investigators. To date, Witness [redacted] has not contacted the investigators.

SUSPECT'S STATEMENTS

East Los Angeles Sheriff's Station Detectives Leopoldo Sanchez #[redacted] and Jacob Sanchez #[redacted] attempted to interview Suspect Martinez, following this incident. The interview was conducted at East Los Angeles Sheriff's Station and was audio recorded.

Per Detective Sanchez, Suspect Martinez appeared to be disoriented and confused as he began his interview. As a result of Suspect Martinez' behavior, Detective Sanchez stopped his interview.

> **IAB Note:** Detective Sanchez summarized his interview with Suspect Martinez in a Supplemental Report. See **Exhibit B, Pages 3-9**.

Suspect Martinez was interviewed by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe, on January 29, 2015. The interview was conducted at Twin Towers Correctional Facility, and was audio recorded.

Suspect Martinez stated on April 14, 2014, he was home when he began having a psychotic breakdown due to not taking his medication (Prozac and Geodon) for his schizophrenia. Voices in his head were telling him to take drugs so he took crystal methamphetamine, and had been high on crystal methamphetamine for three days.

Subject Martinez left his home that evening so his landlord would not see him talking to himself. He then walked over to East 6th Street for unknown reasons. While on East 6th Street, people who he thought were aliens trying to abduct him, began chasing him. While trying to get away, he hid behind a vehicle. While hiding, he saw a vehicle stop approximately 50-75 feet away from him. He stated the vehicle did not look like a patrol car. Someone inside the vehicle got out wearing black clothing and a black mask. Thinking aliens were trying to abduct him, he fired one round into the air at an alien ship he had seen. He then ran down the street, while being shot at from holograms that looked like people. He hid behind a vehicle and fired 3 to 4 more rounds into the air at the space ship. He then ran into an open door of someone's apartment where he remained for a few hours, while continuing to have his psychotic breakdown. While inside the apartment, he said the police used a vehicle to break down the door. He was then ordered to come out on his stomach. He crawled out and was taken into custody.

For complete details of his interview, refer to Suspect Martinez' verbatim transcripts.

> **IAB Note:** During the interview, Suspect Martinez alleged that he was kicked in the upper chest by a deputy, once he had crawled out to the deputies. When questioned further about the kicking, he said he might have been hallucinating. Lieutenant Todd Weber advised Lieutenant Bruce Chase (SEB) about the allegation and asked that he conduct a supervisor's inquiry in regards to the alleged use of force.